

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

Clerk's Minutes

Before the Honorable James A. Parker

**Title:** United States v. Maddaleni  
**Case Number:** 14-cr-415  
**Date:** 9/23/2014

**Courtroom Clerk:** Walker Boyd  
**Court Reporter:** John De La Rosa

**Attorneys Present for United States:**  
Pres Torres

**Attorneys Present for Defendants:**  
Erlinda Johnson

**Type of Proceeding:** Motion to suppress; Motion to continue.

**Morning**

**Start Time:** 10:20 AM  
**End Time:** 12:21 PM

**Afternoon**

**Start Time:** 3:11 PM  
**End Time:** 5:27 PM

**Time in Court:** 4:17

**Court's Rulings/Disposition:** Motion to Suppress is taken under advisement; Motion to Continue is granted (December 1, 2014).

**Notes on the Proceedings:**

10: 21: Counsel for Defendant discussed objections to the government's written transcript of Agent Small's belt recording.

10:22: Defense Exhibit C (Transcript) was submitted to the court.

10:30: The United States called Agent Small.

10:31: The Court addressed Defendants' *Giglio* motion.

10:33: The Court heard argument from the United States on Defendant's *Giglio* motion.

10:34: The Court will enter an order re: Defendants' *Giglio* motion.

10:35: Direct examination of Agent Small.

10:47: Government's exhibit 1 [audio] was admitted to evidence.

10:48: Government's exhibit 1 was played, with periodic pauses in order for Agent Small to explain his physical position relative to Maddaleni and Cheun throughout the recording.

11:35: Playback of the recording has finished. The United States resumes direct examination of Agent Small.

11:46: Counsel for the Defendant began cross-examination of the witness.

12:21: Court recessed; will resume cross-examination of Mr. Small at 3 PM.

3:11 PM: Court back in session. Counsel for Defendant Cheun resumed cross-examination.

3:17 PM: The Defense played portions of Government's Exhibit 1.

3:31 PM: Defense marked exhibit G (photograph of bag with pipes in bottom). Admitted.

3:40 PM: Defense cross-examination finished; the Court then asks some questions of Mr. Small.

3:46 PM: Redirect questions for Mr. Small from the United States.

3:54 PM: Redirect of Agent Small finished.

3:54 PM: Defense calls Raymond Torres. Direct examination.

4:04 PM: United States begin cross-examination of Raymond Torres.

4:10 PM: Witness steps down.

4:10 PM: Defendant Anthony Cheun is called for direct examination.

4:42 PM: United States begins cross-examination of Mr. Cheun.

5:02 PM: Cross-examination concludes.

5:03 PM: Redirect.

5:08 PM: Cheun is excused.

5:09 PM: Agent Small was recalled.

5:15 PM: Cross-examination.

5:18 PM: Witness is excused.

5:18 PM: Motion to continue trial to December is discussed.

5:19 PM: Court goes off the record.

5:21 PM: On the record. Court heard legal argument from the United States.

5:25 PM: The Court heard further testimony from Agent Small.

5:26 PM: The Court heard argument from the Defendant.

5:27 PM: The Court recessed.